

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
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KRISTIN SCHUTTE,

8/1/2013 3:06 pm  
**U.S. DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
LONG ISLAND OFFICE**

Plaintiff,

MEMORANDUM AND ORDER

-against-

CV 12-405 (LDW) (WDW)

ULINE, INC. d/b/a ULINE SHIPPING  
and TIMOTHY MCDONOUGH,

Defendants.

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WEXLER, District Judge

Plaintiff Kristin Schutte brings this action against defendants Uline, Inc. d/b/a Uline Shipping and Timothy McDonough, claiming that defendants discriminated against her based on gender in violation of Title VII of Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.*, and the New York State Human Rights Law, N.Y. Exec. Law § 290 *et seq.* Defendants move for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure. Plaintiff opposes the motion.

Upon consideration, the Court finds that genuine disputes of material fact exist precluding the entry of summary judgment. *See* Fed. R. Civ. P. 56(a) (party seeking summary judgment must demonstrate that “there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law”);

*Celotex Corp. v. Catrett*, 477 U.S. 317, 322 (1986); *Gallo v. Prudential*

*Residential Servs. Ltd. P'ship*, 22 F.3d 1219, 1223-24 (2d Cir. 1994).

Accordingly, defendants' motion for summary judgment is denied.

SO ORDERED.

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/s/  
LEONARD D. WEXLER  
UNITED STATES DISTRICT JUDGE

Dated: Central Islip, New York  
August 1, 2013